

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO.: 3:04CV200-MU**

ECHOSTAR TECHNOLOGIES)	
CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
DUNCAN FLAMINO,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on Plaintiff's Motion to Dismiss, filed April 19, 2005. Plaintiff moves the Court to dismiss the above-referenced matter with prejudice and without costs to either party. Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the Court grants Plaintiff's Motion to Dismiss. This matter is hereby dismissed with prejudice and without costs to either party.

_____ **SO ORDERED.**

Signed: June 21, 2005

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
Chief United States District Judge

